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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,348	05/30/2001	Annette M. Abbott	INF245/00333A	9568
24118	7590	08/05/2004	EXAMINER	
HEAD, JOHNSON & KACHIGIAN 228 W 17TH PLACE TULSA, OK 74119			TIV, BACKHEAN	
			ART UNIT	PAPER NUMBER
			2151	

DATE MAILED: 08/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/871,348

Applicant(s)

ABBOTT ET AL.

Examiner

Backhean Tiv

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Detailed Action***

Claims 1-6 are pending in this Office Action.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,3,4 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,546,230 issued to Allison.

As per independent claim 1, Allison teaches a computer system to facilitate the management and communications at institutional, regulatory and individual user community continuing education requirements, said system comprising:

a general purpose computer(col.2, line 8-9);

a memory that stores an institutional, regulatory and individual continuing education requirements program(col.1, lines 33-55 and col.2, lines 24-43);

a central processing unit that, when executing said program, adapts said general purpose computer to facilitate and manage communication between said computer and a plurality of user communities, said communication addressing

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said communities individualized continuing education requirements(col.2, lines 24-43).

As per 3, the system of claim 1 wherein said general purpose computer further comprises a video display and input device, said video display and input device configured to facilitate user interaction with said central processing unit(col.3, line 60-col.4, line 5).

As per claim 4, the system of claim 1 further comprising at least one database communicably attached to said general purpose computer(Fig.1, element 88 and element 24).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 5,6 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,546,230 issued to Allison in view of US Patent 6,157,808 issued to Hollingsworth .

Allison teaches all the limitations in claim 1, and further teaches as per claim 2, the system of claim 1 wherein said adapted computer's facilitation and management of

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communication further comprises: associated continuing education requirements(Fig.8, the training courses is interpreted as continuing education requirements) and

(b) identifying and managing continuing education content provider (col.8, lines 28-35; the competency test server or the course server at the central training facility is the continuing education content provider);

(c) identifying and managing continuing education accrediting agency identified relationships (col.2, lines 39-42; the state licensing entity is the accrediting agency);

(d) identifying and managing professional association identified relationships (col.2, lines 39-42; the other organization to provide health care professional's transcript is the professional association);

(e) identifying and managing individual professional identified relationships (col.11, lines 1-10; the user's profile with the user's name, profession and any area of specialty is the individual professional identified relationships);

(f) identifying and managing regulatory agency identified relationships (col.11, lines 26-34; the certifying organization is the regulatory agency);

(h) identifying functions and facilitating administrative support and database maintenance(col.5, lines 30-51).

However Allison does not explicitly teach identifying and managing employer identified relationships and identifying and managing business entity identified relationships.

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Hollingsworth teaches identifying and managing employer identified relationships (col.7, lines 32-46 ;the employee certification table which keeps track of employee certification is interpreted as employer identified relationships) and identifying and managing business entity identified relationships(col.3, lines 33-40; the identification of skills and licenses which an employee needs to become competent or certified for a given trade or job is interpreted as business entity identified relationships).

Therefore it would have been obvious to one ordinary skilled in the art at the time of the invention to modify the system of Allison to explicitly add identifying and managing employer identified relationships and identifying and managing business entity identified relationships as taught by Hollingsworth in order to have high quality, job related instructions to employees (Hollingsworth, col.1, lines14-16).

One skilled in the art would have been motivated to combine Allison and Hollingsworth in order to provide a system to display relations that exist between an employee and the tasks, skills, learning objectives and referenced based objective and criteria required for a defined minimum competence(Hollingsworth, col.2, lines 32-36).

Allison teaches as per claim 5, an interactive computer based method to facilitate the management and communications of institutional, regulatory and individual continuing education requirements, said method comprising: associated continuing education requirements(Fig.8, the training courses is interpreted as continuing education requirements); and

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(b) identifying and managing continuing education content provider (col.8, lines 28-35; the competency test server or the course server at the central training facility is the continuing education content provider);

(c) identifying and managing continuing education accrediting agency identified relationships (col.2, lines 39-42; the state licensing entity is the accrediting agency);

(d) identifying and managing professional association identified relationships (col.2, lines 39-42; the other organization to provide health care professional's transcript is the professional association);

(e) identifying and managing individual professional identified relationships (col.11, lines 1-10; the user's profile with the user's name, profession and any area of specialty is the individual professional identified relationships);

(f) identifying and managing regulatory agency identified relationships (col.11, lines 26-34; the certifying organization is the regulatory agency);

(h) identifying functions and facilitating administrative support and database maintenance (col.5, lines 30-51).

However Allison does not explicitly teach identifying and managing employer identified relationships and identifying and managing business entity identified relationships.

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certification is interpreted as employer identified relationships) and identifying and managing business entity identified relationships(col.3, lines 33-40; the identification of skills and licenses which an employee needs to become competent or certified for a given trade or job is interpreted as business entity identified relationships).

Therefore it would have been obvious to one ordinary skilled in the art at the time of the invention to modify the method of Allison to explicitly add identifying and managing employer identified relationships and identifying and managing business entity identified relationships as taught by Hollingsworth in order to have high quality, job related instructions to employees (Hollingsworth, col.1, lines14-16).

One skilled in the art would have been motivated to combine Allison and Hollingsworth in order to provide a system to display relations that exist between an employee and the tasks, skills, learning objectives and referenced based objective and criteria required for a defined minimum competence(Hollingsworth, col.2, lines 32-36).

Claim 6 is of the same scope as claim 5; claim 5 recites a method while claim 6 recites a computer readable medium, therefore claim 5 is rejected based on the same rationale and motivation set forth in claim 5 (see claim 5 rejection).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 6,162,060 issued to Richard et.al. "System and method for the delivery, authoring, and management of courseware over a computer network".

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Backhean Tiv whose telephone number is (703) 305-8879. The examiner can normally be reached on 9 A.M.-12 P.M. and 1 -6 P.M. Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (703) 308-6687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Backhean Tiv  
2151  
8/3/04

  
ZARNI MAUNG  
PRIMARY EXAMINER